

***IN THE DISTRICT COURT OF THE UNITED STATES***

***For the Western District of New York***

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MARCH GRAND JURY  
(Empaneled 3/16/04)

**THE UNITED STATES OF AMERICA**

**-vs-**

*05-cr-06027 R(P)*  
**INDICTMENT**

**XINGKUN WU**

**Violation:**

18 U.S.C. §1832(a)(1)

**COUNT ONE**

**The Grand Jury Charges:**

From on or about March 30, 2000 and continuing to on or about April 28, 2000, in the Western District of New York, the defendant, **XINGKUN WU**, did knowingly steal and appropriate without authorization trade secrets, specifically (a) an eighteen-page presentation titled "Liquid Crystal Cross & Connect (CCX) Optical Design" dated May 1999; (b) a three-page document titled "Microbend Exchange at Wilmington, Experimental Outlook: Bend Sensitivity Study Using a High Cutoff DC Fiber While in a Multimode Operation" dated March 1998; (c) three pages of technical design drawings for Wavelength Add/Drop Module; and (d) a file concerning a project known

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WESTERN DISTRICT OF NEW YORK

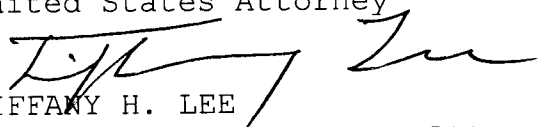
as "Project Fox Glove", which trade secrets are related to or included in products that are produced for or placed in interstate or foreign commerce, intending or knowing that his acts would economically benefit anyone other than, and would injure, Corning Incorporated, the owner of the trade secrets.

**All in violation of Title 18, United States Code, Section 1832 (a) (1) .**

DATED: Rochester, New York  
February 17, 2005

MICHAEL A. BATTLE  
United States Attorney

By:

  
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A TRUE BILL:

  
WENDY ADAMS  
FOREPERSON